

## ASSISTANT CITY ATTORNEY

**POSITION SUMMARY:** The assistant city attorney serves under the direction of the of the city attorney and will have responsibility for performing the duties and functions of the city attorney as the city attorney assigns and directs. The assistant city attorney will act in place of the city attorney when the city attorney is unavailable. Responsibilities of the position may range from prosecuting violations of city ordinances to general legal counsel responsibilities, commensurate with the assistant city attorney's increasing knowledge of the city and its legal issues. The position requires extensive oral and written communication in English, additional fluency in Spanish is preferred.

The city attorney's office works closely with the city manager and city department heads providing legal advice, documentation, and other support in developing, implementing, and undertaking city goals, policies, initiatives, and activities. The city attorney's office also advises the city council and city boards and commissions on city legal affairs and legal issues before them, exploring possible options, assisting in evaluating those options, and assisting in effectively implementing the policy direction chosen by City Council or department heads.

The city attorney's office represents the city in legal affairs with courts, governmental agencies, and others. In conjunction with department directors, the city attorney's office works with outside legal counsel.

**ESSENTIAL JOB FUNCTIONS:** *An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.*

1. Advises and works cooperatively with the city attorney, city manager, and department heads to establish priorities, develop goals, strategic plans, and policies; and to implement a variety of special projects.
2. Performs legal research and provides legal advice on matters affecting the city.
3. Acts as the city attorney when the city attorney is unavailable.
4. Prosecutes violations of city ordinances. Reviews reports and, when appropriate, issues warrants, conducts pretrial conferences, communicates with victims and witnesses, enters plea agreements, tries cases in the 62-A District Court and/or Kent County Juvenile Court, prepares and responds to pleadings and briefs, argues motions, handles appeals, advises about possible ordinance improvements, confers with and advises police personnel and code enforcement personnel, interacts with defense counsel, represents the city with court administrative personnel, interacts with unrepresented defendants, addresses sentencing issues, addresses probation violations, and performs all other related prosecutorial duties.
5. If assigned to civil litigation, represents the city in all aspects of prosecuting or defending lawsuits from their first accrual or first notice that a suit may be filed, through investigation, discovery, alternative dispute resolution, motions and hearings, trials, appeals, and, if warranted, collection or enforcement proceedings.
6. Answers communications from the public relative to legal matters affecting the City.
7. Supervises and directs the work of the administrative assistant.

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8. Confers with relevant directors and department heads on matters that may require their respective department's expertise and involvement. This may include, but is not limited to, facilities, finance, human resources, and information technology.
9. Assists City departments with legal needs, including interpretation of ordinances and contracts, drafting and reviewing contracts, state and federal legal requirements, and communication with contractors.
10. Provides practical legal advice on wide-ranging day-to-day issues, assisting city personnel in exploring and choosing among options. Helps evaluate possible risks and in cost/benefit analyses of identified options. Advises on the legality of identified options and on their implementation to achieve the best results.
11. Prepares legal opinions, pleadings and briefs, contracts, ordinances, resolutions, deeds, leases, and other legal documents.
12. Prepares and tries cases for arbitration, mediation, and court. Uses demonstrative evidence in preparing and presenting arguments or explaining positions.
13. Interprets legislation, comments on and prepares proposed legislation for the state legislature on matters of interest to the City. In cooperation with outside organizations, such as the Michigan Municipal League and the city's retained legislative liaison, communicates with the legislature and state agencies on proposed legislation and rules.
14. Keeps abreast of and informs the city council, city manager, and department heads about proposed and enacted/adopted legislation, rules and regulations, new administrative procedures and guidelines, and current issues, as well as significant court decisions.
15. Attends various board, commission, and city council meetings to advise on general and complex legal issues and questions.
16. Maintains cooperative relationships with peer agencies, schools, boards, commissions, volunteers, citizens, and other governmental units.
17. Coordinates claims handling with the city's insurance carrier including any response to or defense of claims.
18. Works with the city assessor to defend property tax and special assessment appeals in the Michigan Tax Tribunal.
19. Addresses regulatory compliance issues with state and federal agencies to ensure the City complies with laws, rules, and regulations related to municipal operation.
20. Assists in economic development efforts, especially with brownfield plans, tax abatements and other efforts requiring legal documentation and interacts with the WBRA, EDC, DDA, MEDC, USEDA, and other agencies with respect to those efforts.
21. Coordinates Michigan Indigent Defense Commission grants and grant compliance, including indigent defense counsel contracts for the cities of Grandville, Kentwood, Walker and Wyoming, and the 59<sup>th</sup>, 62-A and 62-B District Courts.
22. Working with department directors, reviews and/or prepares citywide policies and plans in

areas such as civil rights, information technology, facility use policies, personnel and purchasing policies, and related contracts, contract provisions, and other implementing documents.

23. Advises city leaders during crisis management.
24. Provides guidance on Open Meetings Act and Freedom of Information Act issues including FOIA request responses.
25. Attends conferences, workshops, and seminars as appropriate.
26. Performs other tasks as directed or requested by the city council and/or city manager.

**KNOWLEDGE, SKILLS AND ABILITIES:** *The requirements listed below are representative of the knowledge, skills, abilities, and minimum qualifications necessary to perform the essential functions of the position. A qualified individual with a disability must be able to perform the essential functions of the position with or without reasonable accommodation.*

- A. Graduation from a school of law accredited by the American Bar Association with a Juris Doctor degree.
- B. A minimum of five years of experience in the practice of law, preferably in representing a public entity.
- C. Active membership in and good standing with the State Bar of Michigan or, if from outside Michigan, in another state bar which will be recognized for reciprocity providing for membership in the State Bar of Michigan.
- D. Skilled in legal research and ability to organize, interpret, and apply legal principles and knowledge to complex legal issues; able to clearly communicate and summarize laws, regulations for those without a legal background.
- E. Demonstrates proficiency in the use of information technology including software applications related to areas of responsibility, and has the ability to quickly learn other technology as necessary.
- F. Possess a high level of interpersonal skills. Demonstrated ability to establish effective and cooperative working relationships. Uses tact, good judgment, initiative, and resourcefulness to communicate effectively with elected officials, boards and commissions, department heads, employees, volunteers, the public, and internal and external professional contacts through which the City conducts its business and affairs.
- G. Proven ability to communicate effectively orally and in writing and makes presentation in public forums and to persuade others. Ability to maintain favorable public relations. Skill in responding to public inquiries and internal requests with a high degree of diplomacy and professionalism. Ability to respond or proactively engage with public bodies or others during public meetings.
- H. Demonstrated ability to think strategically, quickly analyze complex information, coordinate schedules and resources, and work effectively and cooperatively in routine, stressful, or time-sensitive situations. Must be able to provide leadership and direction on projects and in situations with undefined goals, expectations, or outcomes.

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- I. Possesses excellent organizational skills and ability to prioritize.
- J. Ability to understand, appreciate, and address the interests of multiple stakeholders and/or audiences for city and/or city attorney policies, practices, projects, actions, and communications.
- K. Extensive knowledge of the functions of federal, state, and local jurisdictions and authorities as they relate to municipal work. Extensive knowledge of local government and applicable federal, state, and local laws, codes, and ordinances.
- L. Knowledge of functions of City departments and legal issues that apply to and affect each department.
- M. Proven ability to maintain a professional leadership image to the organization and to the public, both on and off duty. Ability to routinely demonstrate a commitment to the mission, vision and values of the department and the City.
- N. Ability to attend legislative sessions to represent and promote the interests of the City before committees and representatives.
- O. Ability to attend Council, board, commission, and department meetings as necessary.
- P. Possession of a valid motor vehicle operator's license.

**PHYSICAL DEMANDS AND WORK ENVIRONMENT:** *The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. A qualified individual with a disability must be able to perform the essential functions of the position with or without reasonable accommodation.*

While performing the duties of this job, the employee is regularly required to hear and to talk. While performing the duties of this job, the employee is regularly required to communicate with others and read and produce written documents. The employee frequently is required to sit; use hands to finger, handle, or feel; and reach with hands and arms. The employee will frequently lift and/or move items of light weight.

While performing the duties of this job, the employee regularly works in a business office setting. The noise level in the work environment is usually quiet.

Occasionally, site visits may be needed or helpful. This may be alone or accompanied by other city personnel.

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## Appendix A

The Wyoming City Charter addresses the role and responsibilities of the city attorney and assistant city attorney. Click here to view relevant sections of the Charter:

[https://library.municode.com/mi/wyoming/codes/code\\_of\\_ordinances?nodeId=PTICH\\_CHIV\\_ORGO\\_S4.14ATFUDU](https://library.municode.com/mi/wyoming/codes/code_of_ordinances?nodeId=PTICH_CHIV_ORGO_S4.14ATFUDU)